REMARKS

This Amendment is responsive to the Office Action dated October 3, 2002. Claims 1-21 were pending in the application. In the Office Action, claims 5-7, 12-14 and 19-21 were objected to and claims 1-4, 8-11 and 15-18 were rejected. In this Amendment, claims 1, 5, 8, 12, 15 and 19 have been amended.

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of the instant application are respectfully solicited.

Allowable subject matter

The Examiner indicated that claims 5-7, 12-14 and 19-21 are allowable if rewritten in independent form so as to include all of the limitations of the base claim and any intervening claims. Claims 5, 12 and 19 have been so rewritten in independent form. Claims 6, 7, 13, 14, 20 and 21 depend either directly or indirectly from one of independent claims 5, 12, and 19. Accordingly, Applicants respectfully submit that claims 5-7, 12-14 and 19-21 as presented herein are allowable.

§102 Rejection

Claims 1-3, 8-10 and 15-17 were rejected under 35 U.S.C. §102(e) as being anticipated by Wright et al. (USPN 6,240,083 B1) and claims 1-4, 8-11 and 15-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Wright et al. (USPN 6,240,083 B1).

Applicants submit that the amended independent claims (claims 1, 8 and 15) are patentable over Wright.

The present invention is directed towards a digital communication system that includes a device for transmitting and receiving random access bursts from random

access channels having multiple random access slots. These random access bursts contain a preamble part and either single or multiple message parts. And depending on the number of message parts, the random access bursts are transmitted from specific random access slots.

For example, claim 1 recites, in pertinent part:

> "whereby a preamble part of a random access burst having more than one message part is transmitted from random access slots that are different from random access slots used to transmit a preamble part of a random access burst having only one message part, thereby notifying the device to reserve the acquired part of the random access channel if needed."

Claims 8 and 15 contain similar limitations.

Wright does not disclose whereby a preamble part of a random access burst having more than one message part is transmitted from random access slots that are different from random access slots used to transmit a preamble part of a random access burst having only one message part, thereby notifying the device to reserve the acquired part of the random access channel if needed. Therefore, Applicants believe that the independent claims (claims 1, 8 and 15) are patentable over Wright.

Claims 2-4 depend on claim 1. Since claim 1 is believed to be patentable over Wright, claims 2-4 are believed to be patentable over Wright on the basis of their dependency on claim 1.

Claims 9-11 depend on claim 8. Since claim 8 is believed to be patentable over Wright, claims 9-11 are believed to be patentable over Wright on the basis of their dependency on claim 8.

Claims 16-18 depend on claim 15. Since claim 15 is believed to be patentable over Wright, claims 16-18 are believed to be patentable over Wright on the basis of their dependency on claim 15.

Applicants respectfully submit that all of the claims (claims 1-21) now pending in the application are in condition for allowance, which action is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney, and, in the event that the Examiner disagrees with any such opinion, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. 112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

This is in response to the Examiner's statement of reasons for the indication of allowable subject matter included in the present Office Action. To the extent the Examiner's statement states, implies or is construed to mean that the claims are allowable over the prior art of record because the Examiner believes the claims should be

interpreted to include one or more features or limitations not recited therein, Applicants' attorney disagrees with such an interpretation. Moreover, it is Applicants' contention that there is no particular limitation in the allowed claims that is more critical than any other. The issuance of the Examiner's statement of reasons for the indication of allowable subject matter should not be construed as a surrender by Applicants of any subject matter. It is the intent of Applicants, by their attorney, to construe the allowed claims so as to cover the invention disclosed in the instant application and all equivalents to which the claimed invention is entitled.

The Examiner has made of record, but not applied, several U.S. Patents. The Applicants appreciate the Examiner's implicit finding that these references, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No.50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims

Claims 1, 5, 8, 12, 15 and 19 have been amended as follows:

--1. (Amended) Device (1) for transmitting and receiving data in a digital telecommunication system, in which a random access channel having a number of random access slots for transmitting random access bursts is provided, with

generating means (3) for generating a random access burst comprising a preamble part for acquiring a part of said ransom access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message parts, whereby in case that two or more message parts are generated, the generating means generates said random access burst with at least one continuation indicator indicating said two or more message parts, and

transmitting means (4) for transmitting said random access burst generated by said generating means,

whereby a preamble part of a random access burst having more than one message part is transmitted from random access slots that are different from random access slots used to transmit a preamble part of a random access burst having only one message part, thereby notifying the device to reserve the acquired part of the random access channel if needed.

5. (Amended) Device (1) for transmitting and receiving data in a digital telecommunication system [according to claim 1], in which a random access channel for transmitting random access bursts is provided, with

generating means (3) for generating a random access burst comprising a preamble part for acquiring a part of said ransom access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message parts, whereby in case that two or more message parts are generated, the generating means generates said random access burst with at least one continuation indicator indicating said two or more message parts, and

transmitting means (4) for transmitting said random access burst generated by said generating means,

whereby [characterized in, that] said random access channel comprises a number of random access slots being divided into a first section containing contention based random access slots and a second section containing reservation based random access slots, and

whereby said transmitting means (4) transmits the preamble part of a random access burst comprising two or more message parts in said second section.

8. (Amended) Device (6) for transmitting and receiving data in a digital telecommunication system, in which a random access channel having a number of random access slots for transmitting random access bursts is provided, with

receiving means (8) for receiving a random access burst comprising a preamble part for acquiring a part of said random access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message part,

detecting means (9) for detecting a continuation indicator in a received random access burst, said continuation indicator indicating that said random access burst comprises at least two message parts, and

reserving means (11) for reserving a further part of said random access channel for receiving said message parts upon detection of said continuation indicator,

whereby a preamble part of a random access burst having more than one message part is transmitted from random access slots that are different from random access slots used to transmit a preamble part of a random access burst having only one message part, thereby notifying the device to reserve the acquired part of the random access channel if needed.

12. (Amended) Device (6) for transmitting and receiving data in a digital telecommunication system [according to claim 8], in which a random access channel for transmitting random access bursts is provided, with

receiving means (8) for receiving a random access burst comprising a preamble part for acquiring a part of said random access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message part,

detecting means (9) for detecting a continuation indicator in a received random access burst, said continuation indicator indicating that said random access burst comprises at least two message parts, and

reserving means (11) for reserving a further part of said random access channel for receiving said message parts upon detection of said continuation indicator,

whereby [characterized in, that] said random access channel comprises a number of random access slots being divided into a first section containing contention based random access slots and a second section containing reservation based random access slots, and

whereby after the reception of a preamble part of a random access burst in said second section, said reserving means (11) reserves a further part of said random access channel for receiving at least two message parts.

15. (Amended) Method for transmitting and receiving random access bursts in a random access channel of a digital telecommunication system with said random access channel having a number of random access slots, [with] comprising the steps of

generating a random access burst comprising a preamble for acquiring a part of said random access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message parts, whereby in case that two or more message parts are generated, said random access burst is generated with a continuation indicator indicating a succeeding message part,

transmitting said generated random access burst,

receiving said random access burst

detecting said continuation indicator in said received random access burst and reserving a further part of said random access channel for receiving at least two message parts,

whereby a preamble part of a random access burst having more than one message part is transmitted from random access slots that are different from random access slots used to transmit a preamble part of a random access burst having only one message part, thereby notifying the digital telecommunication system to reserve the acquired part of the random access channel if needed.

19. (Amended) Method for transmitting and receiving random access bursts in a digital telecommunication system [according to claim 15], with the steps of

generating a random access burst comprising a preamble for acquiring a part of said random access channel and at least one message part for transmitting data in said acquired part of said random access channel, the number of message parts depending on an amount of data to be transmitted in the message parts, whereby in case that two or more message parts are generated, said random access burst is generated with a continuation indicator indicating a succeeding message part,

transmitting said generated random access burst,

receiving said random access burst

detecting said continuation indicator in said received random access burst and reserving a further part of said random access channel for receiving at least two message parts, and

whereby [characterized in, that] said random access channel comprises a number of random access slots being divided into a first section containing contention based random access slots and a second section containing reservation based random access slots, whereby the preamble part of a random access burst comprising two or more message parts is transmitted in said second section.--